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NEXTEL®

EX PARTE OR LATE FILED

June 17, 1997

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JUN 17 1997

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

EX PARTE

Re: CC Docket No. 94-102

Dear Mr. Caton:

On behalf of Nextel Communications, Inc. ("Nextel") and pursuant to Section 1.1206 of the Federal Communications Commission's Rules, this letter constitutes notice that Nextel submitted the attached letter to members of the Commercial Wireless Division and Policy Division of the Wireless Telecommunications Bureau.

An original and one copy of this letter and the attachment have been filed with the Secretary pursuant to Section 1.1206. Should any questions arise in connection with this notification, please do not hesitate to contact the undersigned.

Respectfully submitted,

NEXTEL COMMUNICATIONS, INC.

Laura L. Holloway
Laura L. Holloway
General Attorney

Attachment

cc: Rhonda Lien
Cheryl Kornegay
Jay Jackson
Nancy Booker
Won Kim

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June 17, 1997

Mr. David Furth, Chief
Commercial Wireless Division
Wireless Telecommunications Bureau
Federal Communications Commission
2100 M Street, NW
Room 700
Washington, D.C. 20554

Mr. Dan Grosh, Senior Attorney
Policy Division
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, NW
Room 5212
Washington, D.C. 20554

**RE: CC Docket No. 94-102: Transmitting 911
Calls From Mobiles With No Code
Identification**

Dear Mr. Furth and Mr. Grosh:

I. INTRODUCTION

Pursuant to your request at our meeting on June 3, 1997, Nextel Communications, Inc. ("Nextel") is submitting this written discussion of Nextel's capabilities with respect to the Federal Communications Commission's ("Commission") requirement to transmit "911" calls from mobile units with no code identification. The discussion herein is limited to the capabilities of Nextel's iDEN systems, *i.e.*, its digital wide-area Specialized Mobile Radio ("SMR") network.

II. EXECUTIVE SUMMARY

Nextel can transmit 911 calls from all of the following iDEN units:

- A validly-subscribed Nextel unit.
- A formerly-subscribed Nextel unit, *i.e.*, service has been terminated for any reason.

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- A temporarily suspended Nextel unit, *i.e.*, one whose subscriber has failed to pay its bills and whose service may be temporarily suspended.
- A validly-subscribed Southern Company ("SoCo"), Clearnet or other iDEN carrier's unit.
- A formerly-subscribed SoCo, Clearnet or other iDEN carrier's unit.
- A temporarily suspended SoCo, Clearnet or other iDEN carrier's unit.
- A unit stolen from any current or former iDEN subscriber -- whether a subscriber of Nextel, SoCo, Clearnet or another iDEN carrier.
- A cloned iDEN unit.

Nextel cannot transmit 911 calls from the following iDEN units:

- An iDEN unit "just out of the box" that has never been assigned an International Mobile Subscriber Identification ("IMSI"), defined below. This category, to the best of our knowledge and understanding, includes only an iDEN unit stolen from a warehouse, sales office, dealer or the manufacturer's plant or warehouse, prior to being programmed for a customer.

Nextel respectfully asserts herein that its ability to transmit a 911 call on a "non-code identified" iDEN unit is sufficiently encompassing to meet the Commission's wireless emergency access goals.^{1/} The single instance in which an iDEN unit could be in a user's hands without an IMSI, *i.e.*, without code identification, is limited to a unit stolen before it was ever placed in service.^{2/} If an iDEN unit is

^{1/} As Nextel explained in its June 4, 1997 *ex parte* presentation to Mr. John Cimko, Nextel's analog SMR systems are single site, high power systems that provide primarily localized non-interconnected fleet dispatch services. Most of the mobile units on these systems are not interconnected to the Public Switched Telephone Network ("PSTN"). Customers on these systems do not expect 911 capabilities, the systems serve primarily businesses with fleets of mobile workers who can communicate only with the dispatcher or other members of the fleet; consequently, they are not the type of wireless system that the FCC intended to encompass within its 911/Enhanced 911 obligations.

^{2/} Under Nextel's distribution system, iDEN units are not sold separately from the iDEN service.

stolen after being programmed for service, it will transmit a 911 call even if the theft has been reported and the account closed. The same is true of a unit "suspended" or "terminated" because the account has not been paid or service discontinued. The reason for this is that Nextel's iDEN system bypasses the authentication and verification process in setting up 911 calls, as discussed below.

III. DISCUSSION

In the Report and Order and Further Notice Of Proposed Rule Making ("Order") in the above-referenced docket, the Commission required cellular, Personal Communications Services ("PCS"), and "covered SMRs" to transmit 911 calls "from wireless mobile handsets which do not transmit a code identification to any appropriate [Public Safety Answering Point] PSAP which has formally requested transmission of such calls."^{3/} The PSAP is required to give the carrier six months' notice of its request for non-code-identified calls.^{4/}

Code Identification on iDEN

Each iDEN unit manufactured by Motorola comes equipped with a "hardware" identifier, the IMEI, which is placed in the mobile unit at the time of manufacture. Each IMEI is unique to the individual unit and identifies only the equipment itself. At the time the mobile units are transported to Nextel or its authorized dealers, these units are capable of being programmed to operate on any iDEN system in North America, *e.g.*, The Southern Company ("SoCo") in the U.S. or Clearnet in Canada, but without further programming, will not actually function on any of those systems.

Operation of the iDEN mobile unit is dependent upon the assignment of an "International Mobile Subscriber Identification," or "IMSI" to the unit. An IMSI identifies the country in which the particular carrier's system is located, the carrier to which unit has been subscribed, and the individual subscriber.^{5/} Without an IMSI, the unit is nothing more than a "paperweight" with no functionality. An IMSI is

^{3/} First Report and Order and Further Notice Of Proposed Rule Making, 11 FCC Rcd 18676 (1996) at para. 29.

^{4/} *Id.*

^{5/} Every Nextel subscriber's IMSI is a 15-digit code that includes, among other things, a Mobile Country Code ("MCC"), which indicates that the subscriber belongs to a carrier located in the U.S., and a Mobile Network Code ("MCN"), which indicates that the subscriber operates on the Nextel system. The U.S. Department of State assigns MCCs and MCNs to domestic carriers.

assigned, and the equipment readied for operation on the Nextel system only when a customer signs up for Nextel's services and purchases the iDEN unit.

Call Set-Up On iDEN

When a Nextel subscriber makes a phone call on its iDEN unit, the Nextel system goes through a two-step process:

- (1) validation -- the system reads the IMSI and determines whether it is a "known" or "valid" IMSI, *e.g.*, it belongs to Nextel rather than SoCo.
- (2) authentication -- the system then checks the IMSI to ensure that it has not been stolen or cloned.

This process ensures that only valid Nextel subscribers can use the Nextel iDEN system, and helps to prevent, for example, inadvertent use of the system by a SoCo subscriber whose unit may be programmed to the same channels on which Nextel's system operates in areas overlapping with SoCo's system. Additionally, this set-up process helps prevent the use of a cloned or stolen iDEN unit.

Emergency Call Set-Up on iDEN

Nextel's iDEN system does not require validation or authentication of an emergency, *i.e.*, "911" call. If "911" is dialed on an iDEN unit, the call is immediately transmitted to the PSAP without going through either the validation or authentication processes. Thus, any iDEN unit with an IMSI -- whether valid, authentic, stolen, cloned or outdated -- will transmit a 911 call to the PSAP. The practical result is, for example, the SoCo user, whose unit is inadvertently operating on Nextel's system due to overlapping channels, can dial 911 and reach a PSAP even though the iDEN unit is operating on the wrong system. In other words, when an emergency call is made, Nextel's system does not care if the IMSI is assigned to a SoCo user or a Nextel user; if the Nextel subscriber has or has not paid its bill or terminated its service; or if the iDEN unit has been stolen. The presence of any IMSI allows transmission of the 911 call.

III. CONCLUSION

Nextel's iDEN units transmit 911 calls for the universe of potential callers that the Commission intended to be encompassed by its rules. The limited circumstance in which a customer would have an iDEN unit without an IMSI does not warrant the fundamental technical and operational changes necessary to transmit 911 calls in this rare and limited circumstance. Accordingly, to the extent necessary, Nextel requests

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that the Commission clarify its 911 requirement to indicate that the above-described capabilities meet the 911 call transmission requirements set forth in the Order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert S. Foosaner", with a long horizontal flourish extending to the right.

Robert S. Foosaner
Vice President and Chief Regulatory Officer

cc: Rhonda Lien
Cheryl Kornegay
Jay Jackson
Nancy Booker
Won Kim